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ABSTRACT

This bulletin reports on a survey of existing school-district foundations in Oregon to determine their organizational structures, their fund-raising efforts, their expenditure priorities, and their successes. Included in the report are the results of survey data from 34 school foundations, along with the names and phone numbers of contact people in each of the responding foundations. The survey questionnaire was sent to the superintendents of all Oregon's 198 school districts. In addition to the survey, respondents were asked to provide samples of their bylaws and other materials they considered to be of interest to school districts planning to establish a foundation. A total of 120 districts responded, and of these, 34 districts identified themselves as having foundations. The results describe how many years the school foundations have been in existence, how the funds are used, what support the districts provide foundations, how the foundations raise their money, how much money the foundations have, the extent and nature of the foundations' publicity efforts, and the governance of the foundations, such as the size of the board of directors and the length of board members' service. Three appendices contain examples of publicity information, annual reports, and bylaws of school foundations from different size districts. (RJM)

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Public School Foundations:

A Survey of the Current Status, 1999

ED 430 311

Robert D. Stalick
Siobhan Underwood

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VOLUME 42 · NUMBER 3 · SPRING 1999

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OSSC Staff

Robert D. Stalick
Executive Director

Shiobion Underwood
Graduate Research Assistant

Bobbie Smith
Membership Chair
Design of Text Pages

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Department of Educational Leadership, Technology, and Administration
College of Education
University of Oregon

Joanne Flint
Instruction and Field Services
Oregon Department of Education

Cliff Kuhlman
Oregon School Boards Association

Oregon School Study Council

217 Education Building
1571 Alder Street
College of Education
1215 University of Oregon
Eugene OR 97403-1215

(541) 346-1397

Fax (541) 346-5818

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Public School Foundations:
A Survey of the Current Status, 1999

Abstract

Public School Foundations have grown in importance since the passage of a number of Oregon initiatives limiting the ability of school districts to levy tax funds for their schools. This OSSC Bulletin reports on a survey of existing school district foundations in Oregon to determine their organizational structures, their fund raising efforts, their expenditure priorities, and their successes. Included in the report are the results of survey data from thirty-four school foundations and the names and phone numbers of contact people in each of the responding foundations. The extensive appendix contains examples of publicity information, annual reports, and bylaws of school foundations from different size districts. School Districts who do not currently have foundations will find this report useful in establishing a foundation. Foundations which are currently in operation may find the survey and appendix information helpful in improving their efforts at improving their local schools.

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Public School Foundations:
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PUBLIC SCHOOL FOUNDATIONS ARE A MEANS OF FUNDING extra activities and programs that schools and school districts are unable to fund from the regular budget. Foundations are typically established under section 501(c)(3) of the Internal Revenue Service. Such a designation allows the foundation to receive donations while the donor obtains a tax deduction for the contribution. In addition to money, property of various sorts can be claimed as a deduction for these contributions. Private foundations have existed for years in a number of sectors, and many private schools have used these funding sources as a means of providing scholarships for students. Public schools are relative newcomers to the foundation business, but a number of foundations have been supporting Oregon schools for over ten years. For most schools, however, the foundation is a relatively new phenomenon.

The School Taxation System in Oregon

During the 1990s, Oregon voters decided local property taxes were too high and voted to limit this funding source of school support. Three tax issues were actually passed by the voters, beginning in 1991 with Ballot Measure 5, which limited the amount of money local voters would spend on the operation of public schools. Ballot Measure 5 did allow local option to provide for capital improvements and construction, and it required the state to reinstate the lost property tax revenue from state income tax sources. In 1995, Ballot Measure 47, a petition-based initiative, and a later related measure referred to the voters by the legislature, Ballot Measure 50, further restricted the use of local property taxes by school districts and limited the amount of local property tax growth. The legislature, although required by these ballot measures to make up the loss in revenue from state sources, has yet to provide adequate funds to make up the losses caused by the three above-mentioned measures. As a consequence, school districts have searched for different ways to augment lost funding and continue to provide resources to their schools, such as through the school foundation.

One author of this monograph has extensive experience in establishing school foundations and in serving as an officer in a foundation. During the period immediately following the Ballot Measure 47 and 50 elections, many school districts made contact with author to locate information and assistance in establishing foundations. Information about school foundations was not well known in school circles and the extent to which foundations already existed was even less well known. The idea that the Oregon School Study Council could assist school districts in developing their own foundations was presented to the OSSC Board of Directors at its annual meeting in November 1998 and was enthusiastically supported. This report contains the results of a survey conducted of school foundations, proposes a school foundation example based on the most common responses received, and provides a number of examples of materials in current use that might serve as guidance for newly formed foundations.

Methodology

The methodology used for the project was a survey questionnaire developed and sent to the superintendent of every one of Oregon's one hundred ninety-eight school districts. A copy of the request letter and survey is provided in Appendix A. The survey was given to the school district person with primary contact with the school foundation. The Oregon School Study Council requested return of the survey by February 15, 1999.

In addition to the survey, respondents were asked to provide samples of their bylaws and other materials they considered of interest to a school district considering establishing a foundation.

Survey Results

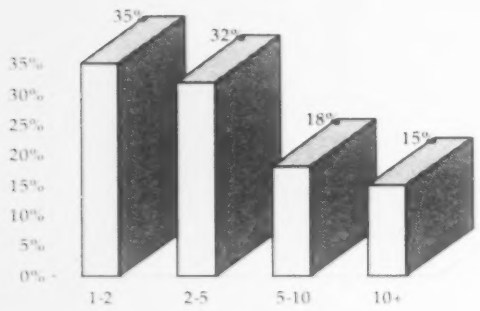
Of the one hundred ninety-eight school districts in the state who were sent surveyes, one hundred twenty responded. Of those responding, twenty-eight percent (thirty-four districts) identified themselves as having foundations. (A list of the foundations and their contacts can be found at the end of this article.) The survey results below represent the responses to the questions by those thirty-four respondents.

The first question was to determine how recently established the school foundations are in the state.

Question 1. How many years has the school foundation in your district been in existence?

- 1-2 years (35%, 12 responses)
- 2-5 years (32%, 11 responses)
- 5-10 years (18%, 6 responses)
- more than 10 years (15%, 5 responses)

Question 1



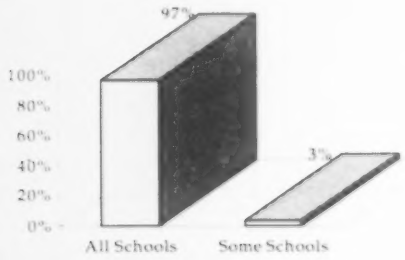
Years Distict Foundation has Existenced

It is obvious that the number of districts with foundations has increased in the eight years since the passage of Ballot Measure 5 in 1991. All respondents in the first two categories above (a majority of sixty-seven percent) have formed since that time.

Question 2. Is your foundation structured to provide assistance to all schools in the district or just certain schools?

- All (97%, 33 responses)
- Just to certain schools. (3%, 1 response)
  No explanation given.

Question 2



Does Foundation Assist all District Schools?

The second question was to determine if foundations were established to assist the entire district or specific schools. Some schools in the district have more support from parents than other schools, making it easier to get donations to support these schools. However, typically schools in most need of assistance are least able to provide their own funds.

From this information, it is clear that the vast majority of responding districts provide support to all schools in the district. The one district (Eugene) that provides funds for individual schools gave no explanation for this practice. However, copies of pertinent published materials on this subject can be found in Appendix B.

HOW ARE THE FUNDS USED?

The purpose of Question 3 was to determine how the money raised is used in schools. While schools still provide the basic needs of schools and classrooms, the "frills" would be funded with sources such as foundation money because of restrictions of funding in the last nine years.

Question 3. What are the primary purposes of the foundation in your district? (Check all that apply.)

- Provide scholarships for college-bound students. (35%, 12 responses).
- Provide scholarships for students seeking other post-secondary education. (35%, 12 responses)
- Provide extra funding for classroom use. (76%, 26 responses)
- To fund special teacher-developed projects, field trips, or student activities. (74%, 25 responses)
- To fund teacher workshops, travel, registration, or other professional advancement. (35%, 12 responses)
- To fund extra-duty salaries for teachers. (12%, 4 responses)
- To fund teacher salaries. (3%, 1 response)
- To fund summer school, night school, or other related student instruction. (12%, 4 responses)
- To fund awards for teachers and/or other employees. (29%, 6 responses)
- Other, please specify. (18%, 6 responses)
  Listed items: arts, library books, technology purchases, grant writing, human resource needs of students, capital improvements, peer teaching.

This item indicates funds are used primarily for classroom extras. The two most obvious uses are extra classroom funding for field trips and student activities, with three-fourths of the responding foundations indicating these. Only one district used foundation funds to pay for teacher classroom salaries, but four districts used such funds for salaries for extra duties. Just over a third of the foundations provided assistance to students directly in the form of scholarships.

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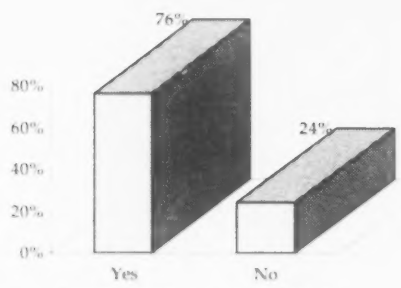
WHAT SUPPORT DOES THE DISTRICT PROVIDE FOUNDATIONS?

When foundations are started, they often begin with a volunteer workforce. These initial members have the vision of the foundation and the energy to put toward the foundations goals. As such organizations mature, it is common to rely on support from paid staff. This support can be simple, as in the use of a school district mailbox or copy machine, or more complex, as in the services of paid staff to assist with administration of the organization. Some foundations are started by school staff and are maintained and supported by assigned staff. The survey asked two questions to assess the amount and type of school district support provided the foundations.

Question 4. Does the district contribute to the support of the foundation?

- Yes (76%, 26 responses)
- No (24%, 8 responses)

Question 4



Question 5. What is the extent of the district's support of the foundation? (Check all that apply.)

- Provides space for meetings. (65%, 22 responses)
- Provides secretarial support, copy costs, mailing, etc. (53%, 18 responses)
- Provides office space, telephone, and related support. (35%, 12 responses)
- Provides staff support. (Estimate the percent of FTE provided). (29%,10responses)
  Estimates: 2 hours/month, .1 FTE, .5 FTE, .2 FTE, 200 hours/year.
- Provides financial contributions to the foundation treasury. (5%, 2 responses)
- Other, please specify. (8%, 2 responses)
  Itemized: helped establish the foundation, provided storage, provided accounting help.

Results of these questions show that foundations enjoy a range of support from their districts from 0 to .5 FTE, a significant range of support. It appears that most districts provide space for meetings, and a small majority provides support in the form of mailings, secretarial aid, etc.

HOW DO FOUNDATIONS RAISE THEIR MONEY?

One of the major reasons foundations exist is to raise funds to support schools. Major fundraisers are needed to pay for big-ticket items such as teacher salaries and computers. Question six was an attempt to determine the source of funds for the foundations that responded.

Question 6. How does the foundation generate funds to support its activities and awards? (Check all that apply.)

- Has a program to receive regular donations from staff and faculty members. (56%, 19 responses)
- Has a program to solicit funds from the community at large. (91%, 31 responses)
- Has a program to solicit funds from wills and other endowments. (56%, 19 responses)
- Receives funds from United Way or other community fundraising organizations. (17%, 6 responses)
- Conducts a number of fundraising activities. (Please list below or attach.) (44%, 15 responses)
  Examples: dances, golf tournaments, auctions, alumni dues, grants, scrip sales, concerts, wine and cheese events, investment stocks, car raffle.

It appears that the major fundraiser for most respondents is a direct appeal to the community. The survey did not attempt to determine the amount of funds raised by each reported method, so the effectiveness of different approaches is unknown. Six foundations have been accepted by United Way or other fundraising organizations as a suitable community-based organization.

HOW MUCH MONEY DO FOUNDATIONS HAVE?

Groups considering forming a foundation must determine if it is worth the effort. The financial condition of foundations is important, as the majority of the foundations that responded to the survey have been in existence for five years or less. The amount of their endowment has been generated over a relatively brief time.

Of further interest is whether the foundation has applied for and received federal status as a 501(c) (3), tax-exempt charitable organization. This exemption allows donors to claim their contributions as tax deductions on their federal income taxes.

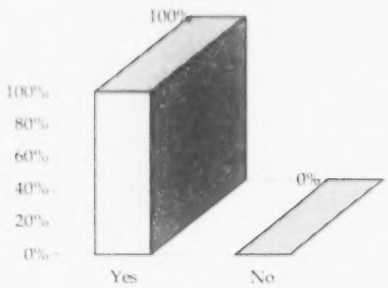
Question 7. What is the total current endowment (or savings account) of the foundation?

- Low, $335.
- High, $253,682
- Average, $69,027

Question 8. Is the foundation registered with the federal government as a tax-exempt 501(c)(3) organization?

- Yes, 100%
- No

Question 8



Is Foundation Tax-Exempt?

The amount of money currently in foundation endowments is significant, and the organizations have recognized the value of providing donors opportunity for tax benefits.

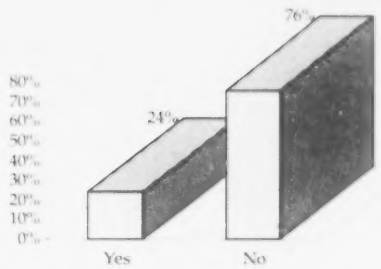
PUBLICITY

Part of the value of the foundation in communities is visibility. Since the primary source of funding is from the community, a means of reporting to the community is important. Foundation publications are one way for attorneys, financial planners, and others to help potential donors become aware of the foundation and consider a contribution when constructing a will or considering a gift.

Question 9. Does the foundation publish an annual report?

- Yes (24%, 8 responses)
- No (76%, 26 responses)

Question 9

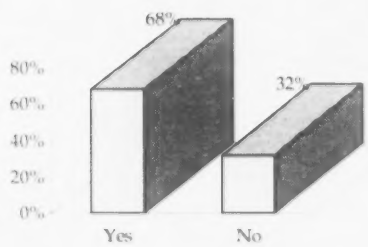


Does Foundation Publish Annual Reports?

Question 10. Does the foundation have brochures or other publicity documents to advertise its existence to the community?

- Yes (68%, 23 responses)
- No (32%, 11 responses)

Question 10



Does Foundation Advertise with Brochures?

Responses to this question are interesting, as the majority (ninety-one percent) of the foundations responding to the survey have a program to solicit funds from the community, but only twenty-four percent publish an annual report, and only sixty-eight percent have a publicity document to advertise their existence to the community. Much opportunity appears in this area for foundations to increase their local visibility and fund raising efforts. Several examples of printed documents and brochures can be found in Appendix C.

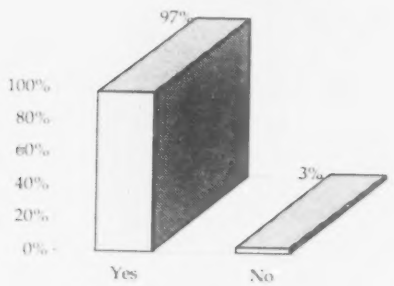
GOVERNANCE

The operation of foundations is dependent upon its board of directors. Many foundations choose community members who are influential business people, potential contributors, or known for their willingness to volunteer quality time to make the organization work. It is also advisable to seek board members with specific skills in fields like accounting and law. The following five questions attempt to define the governance of the foundations that responded to the OSSC survey.

Question 11. Does the foundation have a set of bylaws under which it operates?

- Yes (97%, 33 responses)
- No (3%, 1 response)

Question 11



Does Foudation have Bylaws?

Question 12. How many members serve on the foundation board?

- Low, 3
- High, 18
- Average, 9

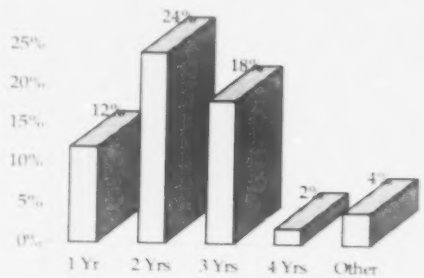
Question 13. How are board members selected?

- Appointed by school board. (12%, 4 responses)
- Appointed by the existing foundation board members. (85%, 29 responses)
- Selected by their respective representative group. (12%, 4 responses)
- Elected to office by public vote. (0%)
- Other, specify. (3%, 1 response)
  Example: volunteer

Question 14. What is the length of term of board member service?

- One year (12%, 4 responses)
- Two years (24%, 8 responses)
- Three years (53%, 18 responses)
- Four years (6%, 2 responses)
- Other (3%, 1 response)
  Example: not provided

Question 14



Term Length for Board Members

Question 15. Board makeup. Please indicate below the types of board members currently serving. (Check all that apply.)

- School board members (38%, 12 responses)
- School administrators (47%, 16 responses)
- Teachers (24%, 8 responses)
- School staff other than teachers or administrators (15%, 5 responses)
- Community leaders (88%, 30 responses)
- Local business and/or professional people (74%, 25 responses)
- Parents (85%, 29 responses)
- Students (3%, 1 response)
- Other (0%)

The typical foundation board has a well-developed governance system. It appears from this survey that nearly all foundations (ninety-seven percent) have a set of bylaws, and board membership averages nine members. Two-year to four-year board memberships are the most common, and the majority of foundation board memberships are parents or people from the community at large and the business and professional community. One foundation has student membership as well.

A TYPICAL FOUNDATION

Based upon the survey results, the profile of the typical public school foundation in Oregon has the following characteristics:

- It was founded in the past five years.
- It provides services to all schools and students in the district.
- It provides extra funding for classroom use and funds special teacher developed projects, field trips and student activities. To a lesser extent, it may provide for college and post-secondary scholarship aid and teacher workshop expenses.
- It receives some help from the school district, usually as secretarial help and meeting space. Occasionally, the district allocates a portion of a staff member's time to coordinate activities.
- It receives most of its funding from the community but also from wills and donations and from staff and faculty members. Almost all foundations engage in some form of community fundraising project or activity.
- It has a current endowment of approximately $70,000, from which it draws interest to fund projects.
- It is registered with the federal government as a tax-exempt charitable organization under section 501(c) (3).
- It has publications explaining its purpose and asking patrons for donations but typically does not publish an annual report.
- It operates under a set of published bylaws.
- It has a board of directors ranging in size from three to eighteen members with an average of nine members.
- Its board members are typically selected or appointed by the existing board members.
- Its board members serve an average of two to four years.
- Its board members are primarily business and professional persons and parents from the community.

School districts considering establishing a school foundation are advised to review this report as a starting place for discussion. The typical foundation profile might serve as a blueprint for the start of a foundation, and contacts with existing foundations would be helpful in facing development issues. A review of documents in the appendices of this publication will also prove helpful in establishing foundation bylaws, publicity, and other characteristics.

School Districts with Foundations that Responded to the Survey

The following entry is a list of the responding school district foundations and pertinent information.

Amity School District 4-J, 807 Trade St., Amity, OR 97101. Contact: George Lanning, Superintendent (503) 835-2171. (980 students)

Beaverton School District #48, 16550 SW Merlo Rd., Beaverton, OR 97006. Contact: Steve Andrews, Grant Support Specialist (503) 591-4478. (27,488 students)

Cascade School District #5, 10226 Marion Rd. SE, Turner, OR 97392. Contact: Janet Ferguson, Deputy Clerk/Business Manager (503) 743-3046. (2,300 students)

Central Linn School District, 32433 Hwy 228, Halsey, OR 97348. Contact: Donald Wirth, Foundation President (541) 928-7712. (813 students)

Corbett School District #39, 35800 E. Historic Columbia River Highway, Corbett, OR 97019. Contact: Jan Younker, Corbett Education Foundation Chair (503) 695-3600 ext. 405. (705 students)

Corvallis School District 509J, PO Box 3509J, Corvallis, OR 97339. Contact: Kay Reynolds, Foundation Executive Director (541) 7547-5857. (7,494 students)

Enterprise School District #21, 201 SE 4th St., Enterprise, OR 97828. Contact: Roger McGath, Superintendent (541) 426-4733. (570 students)

Eugene Public School District 4J., 200 N. Monroe St., Eugene, OR 9I7402. Contact: David Piercy, Assistant to the Superintendent (541) 687-3453. (18,281 students)

Gresham-Barlow School District, 1331 NW Eastman Parkway, Gresham, OR 97030. Contact: Bob Harland, Director of Administrative Services (503) 618-2800. (11,300 students)

Hood River County School District, 1020 Montello, Hood River, OR 97031. Contact: Charles Bugge, Superintendent (541) 386-2511. (3,800 students)

Jackson County School District #6, 451 N. Second St., Central Point, OR 97502. Contact: Vicki Robinson, Director of Business (541) 664-6611. (4,500 students)

Junction City School District #69J, 325 Maple St., Junction City, OR 97448. Contact: Ann B. Lindahl, Foundation Board Chair (541) 998-6185) (2,000 students)

Knappa School District #4, 41535 Old Highway 30, Astoria, OR 97103. Contact: Rick Pass, Superintendent (503) 458-6166. (630 students)

LaGrande Public Schools, 2802 Adams Ave., LaGrande, OR 97850. Contact: Dale Lauritzen, Foundation Chairman (541) 963-0543. (2,802 students).

Lebanon Community School District Foundation, 884 Park St., Lebanon, OR 97355. Contact: David McFettridge, Foundation Chairman (541) 259-1201. (4,500 students)

Medford School District, 500 Monroe Street, Medford, OR 97051. Contact: Dr. Steve Wisely, Superintendent (541) 776-8608. (12,357 students)

Multnomah County School District #3 (Parkrose), 10636 NE Prescott St., Portland, OR 97220. Contact: James E. Fenstermacher, Director of Business (503) 408-2103. (3,500 students).

Neah-Kah-Nie School District #56., PO Box 28, Rockaway Beach, OR 97136. Contact: Neal Lemery, Education Foundation President (503) 355-2855. (900 students)

Newberg School District #29J Foundation, 200 N. Edwards, Newberg, OR 97132. Contact: Marcia Garrick, Elementary Principal (503) 554-4754. (4,500 students)

Oregon Trail School District, PO Box 547, Sandy, OR 97055. Contact: Julia Monteith, Community Relations (503) 668-0679. (4,300 students).

Pleasant Hill School District, 36386 Highway 58, Pleasant Hill, OR 97455. Contact: Jane Kaplan, Foundation Board Chairman (541) 726-3962. (1,300 students).

Redmond School District, 145 SE Salmon Ave., Redmond, OR 97756. Contact: Judy A. Scales, Resource Acquisition Specialist (541) 923-5437. (5,391 students)

Reynolds School District #7, 1024 NE 201st, Fairview, OR 97024. Contact: Susan Kay Hunter, Community Resources Coordinator (503) 661-7200. (9,000 students)

Sherman County School District #1, PO Box 38, Rufus, OR 97050. Contact: Rick Eggers, Superintendent (541) 739-2772. (400 students)

Silver Falls School District 4-J, 210 East C Street, Silverton, OR 97381. Contact: Charles White, Director of Personnel and Curriculum (503) 873-5303. (3,800 students).

Sisters School District #6, PO Box 5099, Sisters, OR 97759. Contact: Steve Swisher, Superintendent (541) 549-8521. (1100 students)

South Lane School District, PO B ox 218, Cottage Grove, OR 97424. Contact: Bob Sisk, Superintendent (541) 942-3381. (2,900+ students)

Springfield School District, 525 Mill St., Springfield, OR 97477. Contact: Judith Land, Director of Finance (541) 746-3206. (11,325 students).

St. Helens School District #502, 474 N. 16th St., St. Helens, OR 97051. Contact: Adam Stewart, Foundation Treasurer (503) 397-3085. (3,100 students)

Tigard-Tualatin Schools Foundation, 13137 SW Pacific Hwy., Tigard, OR 97223. Contact: Jennifer Brown, Foundation Director (503) 684-2319. (12,000 students)

Wallowa School District #12, PO B ox 488, Wallowa, OR 97885. Contact: Edward M. Jensen, Superintendent (541) 886-2061 (377 students)

Warrenton-Hammond District #30, 820 SW Cedar, Warrenton, OR 97146. Contact: Bernard LaCasse, Superintendent (503) 861-2281. (925 students)

Wasco County School District #29, PO Box 98, Dufur, OR 97021. Contact: Jack Henderson, Superintendent (541) 467-2509. (300 students)

West Linn-Wilsonville Education Foundation, PO Box 35, West Linn, OR. 97068. Contact: Meredith Frigaard, Director (503) 682-1437. (7,100 students)

School Districts with Active Foundations that Did Not Respond to this Survey but Should be Contacted for Further Information:

Greater Albany Public School District 8J, 715 SW 7th St., Albany, OR 97321. Contact: Bill Dixon, Public Information Director (541) 967-4644 (8000 students). Albany has had a school foundation for over fifteen years and has operated several successful fund raising activities, including an annual "swimathon."

Portland Public Schools Foundation, PO Box 3107, Portland, OR 97227. Contact: Ron Saxton, School Board Chairman (503) 249-2000 (54,345 students). The Portland School Foundation recently received a great deal of publicity for its efforts to raise funds for teacher positions. It has successfully raised millions of dollars for this and related causes.

Appendix A
Survey Letter and Questionnaire

O • S • S • C

OREGON SCHOOL STUDY COUNCIL

Dear Superintendent:

Enclosed with this letter is a survey that I would like to have you forward to the person who is responsible for the educational foundation in your district. If you don't have a foundation in your district, I would appreciate it if you would simply fill out the descriptive information at the top of the survey, check the "no foundation" space and return the form to me in the enclosed self addressed stamped envelope. **I would appreciate receiving all completed survey forms by February 15, 1999.**

The Oregon School Study Council (OSSC) will publish a study of the status of school foundations in Oregon for our spring bulletin and will use the information you provide to complete the study. If you are not an OSSC member and would be interested in a copy of the final report, which will be distributed to all OSSC members in May, 1999, please check the box at the end

I appreciate your consideration in completing this survey. With the curtailed level of state funding and the difficulty in raising funds locally, school foundations have become one way of augmenting some of the needs in our classrooms. My intent is that this study will shed some light on the practices in place in our school districts and provide some ideas for installing foundations in districts where none currently exist.

Sincerely,

Bob Stalick, Executive Director
Oregon School Study Council

P.S. Since this project began, I have taken a new position at the Oregon Department of Education. However, I am committed to complete the report for our OSSC members. I would appreciate it if you would complete the survey and return it to the OSSC office no later than February 15. Thank you again.

College of Education • 1215 University of Oregon • Eugene, OR 97403-1215
Robert D. Stalick, Executive Secretary (541) 346-1397

OSSC SCHOOL FOUNDATION SURVEY

TO ALL RESPONDENTS: Please complete the following school district information.

SCHOOL DISTRICT NAME: _____

SCHOOL DISTRICT ADDRESS: _____

NUMBER OF STUDENTS IN DISTRICT: _____

PERSON COMPLETING SURVEY: _____
Name *Position* *Place*

DOES DISTRICT HAVE A SCHOOL DISTRICT FOUNDATION?

❑YES *(Please continue with the survey questions.)* ❑NO *(Check box at end of survey if you would like a copy of completed bulletin.)*

SURVEY QUESTIONS

(Circle the most accurate response.)

1. HOW MANY YEARS HAS THE SCHOOL FOUNDATION IN YOUR DISTRICT BEEN IN EXISTENCE?

❑ 1-2 years ❑ 2-5 years ❑ 5-10 years ❑ more than 10 years

2. IS YOUR FOUNDATION STRUCTURED TO PROVIDE ASSISTANCE TO ALL SCHOOLS IN THE DISTRICT OR JUST TO CERTAIN SCHOOLS?

❑ All ❑ Just to certain schools *(please explain)*

3. WHAT ARE THE PRIMARY PURPOSES OF THE FOUNDATION IN YOUR DISTRICT? *(Check all that apply.)*

❑ To provide scholarships for college-bound students.
❑ To provide scholarships for students seeking other post secondary education.
❑ To provide extra funding for classroom use.
❑ To fund special teacher-developed projects, field trips, or student activities.
❑ To fund teacher workshops, travel, registration or other professional advancement.
❑ To fund extra-duty salaries for teachers.
❑ To fund teacher salaries.
❑ To fund summer school, night school, or other related student instruction.
❑ To fund awards for teachers and/or other employees.
❑ Other, please specify:

4. DOES THE DISTRICT CONTRIBUTE TO THE SUPPORT OF THE FOUNDATION?

❑ YES *(Please answer question 5.)* ❑ NO *(Please skip question 5.)*

5. WHAT IS THE EXTENT OF THE DISTRICT'S SUPPORT OF THE FOUNDATION? *(Check all that apply)*

❑ Provides space for meetings
❑ Provides secretarial support, copy costs, mailing, etc.
❑ Provides office space, telephone, and related support.
❑ Provides staff support. (Estimated percent of FTE provided: _____)
❑ Provides financial contributions to the foundation treasury. (Indicate amount: _____)
❑ Other, please specify: _____

BEST COPY AVAILABLE

6. HOW DOES THE FOUNDATION GENERATE FUNDS TO SUPPORT ITS ACTIVITIES AND AWARDS? (*Check all that apply.*)
   - ❑ Has a program to receive regular donations from staff and faculty members.
   - ❑ Has a program to solicit funds from the community at large.
   - ❑ Has a program to solicit funds from wills and other endowments.
   - ❑ Receives funds from United Way or other community fundraising organizations.
   - ❑ Conducts a number of fundraising activities. (*Please list below or attach.*)

7. WHAT IS THE TOTAL CURRENT ENDOWMENT (OR SAVINGS ACCOUNT) OF THE FOUNDATION? _____

8. IS THE FOUNDATION REGISTERED WITH THE FEDERAL GOVERNMENT AS A TAX EXEMPT (501C-3) ORGANIZATION? ❑ YES ❑ NO

9. DOES THE FOUNDATION PUBLISH AN ANNUAL REPORT?
   ❑ YES (*Please enclose a copy of most recent report with your response.*) ❑ NO

10. DOES THE FOUNDATION HAVE BROCHURES OR OTHER PUBLICITY DOCUMENTS TO ADVERTISE ITS EXISTENCE TO THE COMMUNITY?
    ❑ YES (*Please enclose a copy with your response.*) ❑ NO

11. DOES THE FOUNDATION HAVE A SET OF BYLAWS UNDER WHICH IT OPERATES?
    ❑ YES (*Please enclosed a copy with your response.*) ❑ NO

12. HOW MANY MEMBERS SERVE ON THE FOUNDATION BOARD? _____

13. HOW ARE BOARD MEMBERS SELECTED?
    - ❑ Appointed by the school board.
    - ❑ Elected to office by public vote.
    - ❑ Appointed by the existing foundation board members.
    - ❑ Selected by their respective representative group.
    - ❑ Other, specify: _____

14. WHAT IS THE LENGTH OF TERM OF BOARD MEMBER SERVICE?
    ❑ one year ❑ two years ❑ three years ❑ four years ❑ other (specify) _____

15. BOARD MAKEUP. PLEASE INDICATE BELOW THE TYPES OF BOARD MEMBERS CURRENTLY SERVING. (*Check all that apply.*)
    - ❑ school board members
    - ❑ school administrators
    - ❑ teachers
    - ❑ school staff other than teachers or administrators
    - ❑ community leaders
    - ❑ local business and/or professional people
    - ❑ parents
    - ❑ students
    - ❑ others (please specify)

16. PLEASE ATTACH ANY PERTINENT BROCHURES, BYLAWS, OR OTHER DOCUMENTS.

17. IF YOU ARE NOT AN OSSC MEMBER AND WOULD LIKE A COPY OF THIS OSSC BULLETIN, CHECK THE BOX. ❑

Please Return by February 15th to

OSSC SURVEY
College of Education
1215 University of Oregon
Eugene, OR 97403-1215

BEST COPY AVAILABLE

Appendix B
Sample Bylaws and Incorporation Documents

Second Amended Bylaws of the Beaverton School District 48J Foundation

(dba Beaverton Education Foundation)

ARTICLE I: Mission and Goals

Mission: The mission of the foundation is to help provide a quality education for every student in the Beaverton School District through financial and other means of support for district students, staff, and programs.

Goals: The overall goals of the foundation shall be:

Section 1: To encourage and seek private funding (including from other foundations or tax-exempt organizations) for innovative, student-oriented educational programs and practices that are not funded by tax support.

Section 2: To nurture public-private partnership opportunities benefiting Beaverton schools.

Section 3: To raise public awareness of the responsibility that the Beaverton area community shares with the Beaverton School District in maintaining and enhancing quality public education.

Section 4: To undertake those activities or responsibilities as recommended by the Beaverton School Board which the foundation believes are consistent with its mission and for which resources are (or can be made) available.

ARTICLE II: Board of Directors

Section 1: Authority — The Board of Directors of the foundation shall be the governing and official voting body for the foundation and shall exercise all powers of an Oregon nonprofit corporation. The Board of Directors shall establish the foundation's policies and determine the programs and activities to be undertaken by the foundation. In order to increase community involvement in the foundation, a board member may serve as a director for no more than six (6) consecutive years. The number of directors shall not exceed twenty-one (21). A director may serve more than six (6) years if that director has been appointed to fill a term created by a vacancy. In such a case, the director may be separately elected for a maximum of six (6) consecutive years following completion of the term of the vacancy.

Section 2: Nominations — Any member of the Board of Directors may nominate a proposed director. All nominations for director shall be presented to a nominating committee appointed by the Executive Committee. The Nominating Committee will present a slate of candidates to the full board for election. Director's terms shall commence on July 1 and conclude on June 30. Board of Director elections shall take place in May of each year.

Section 3: Specific Terms of Office — The Nominating Committee shall recommend and the Board of Directors shall approve a specific term of office for each new director. As closely as possible, the Nominating Committee and Board of Directors shall specify terms of office for directors so that no more than one-third (1/3) of the Board of Directors' terms shall expire in any one year.

Section 4: Vacancy — In case of a vacancy on the elected Board of Directors, the remaining directors shall elect a successor to hold office for the remaining portion of the term of the director whose place shall become vacant.

Section 5: Resignations — Any member of the Board of Directors may resign at any time by providing notice to the office of the chair of the foundation. Such resignation shall specify the date to be effective.

Section 6: Ex-Officio Directors — The chair of the Board of Directors of Beaverton School District No. 48 (or other designated school board director) and the superintendent of Beaverton School District No. 48 shall be ex-officio, nonvoting members of the Board of Directors.

Section 7: Honorary Directors — The Board of Directors may extend honorary director status to any former director or other person who has contributed significantly to the betterment of education in Beaverton School District No. 48. An honorary director shall have the right to attend all Board of Directors meetings and may serve as a member of any committee of the Board of Directors.

Section 8: Compensation — No director shall receive a salary or other compensation for service to this foundation.

Section 9: Committees of the Board — The Board of Directors may authorize the establishment of committees, specify the purpose and responsibilities of the committee, and grant authority for the foundation chair to name the chairman and members of the committee. A Nominating Committee composed of three (3) members of the Board of Directors shall carry out the duties described in Sections 2 and 3 of this Article II. An executive committee as described in Article V shall also be a standing committee of the Board of Directors. A fund-raising committee shall be established to initiate, implement and undertake the foundation's fundraising activities and shall be chaired by the board vice-chair. In all instances the Board of

Directors shall retain responsibility for establishing policy for the operation and function of each committee and shall have oversight relating to committee activities.

Section 10: Duties of Directors — Directors are to be nominated and are expected to serve based upon their interest in, and endorsement of, the mission and goals of the foundation. Directors shall be expected to serve (consistent with their personal and business commitments) on board committees as well as support the foundation's programs and projects. The foundation's activities will be designed to maximize public exposure of the foundation's mission and goals. Materials specifically identifying directors will be distributed to the public.

ARTICLE III: Meetings

Section 1: Regular Meetings — Regular meetings of the Board of Directors shall be held at least four (4) times during the fiscal year with an annual meeting held in June of each year. The date, time, and place of the meetings shall be determined by the Board of Directors or Executive Committee. A meeting notice shall be sent to all directors prior to the call of the meeting.

Section 2: Attendance — Any director who misses more than three (3) consecutive meetings of the Board of Directors without sufficient cause may be removed from the Board of Directors, thereby creating vacancy on the Board of Directors.

Section 3: Special Meetings — Special meetings of the Board of Directors may be called at any time or place upon the call of the chair and/or two (2) other members of the Board of Directors. Notice of a time, place, and purpose of special meetings shall be sent to all directors at least three (3) days in advance of the meeting.

Section 4: Quorum — Eight (8) members of the Board of Directors shall constitute a quorum for all meetings of the Board of Directors and the foundation. No official action may be taken at any meeting of which a quorum is present unless a majority of the directors present so approve the action; provided, however, no action approved by a majority of a quorum shall be valid unless the vote includes at least six (6) directors voting in favor of such action.

Section 5: Conduct of Meetings — Meetings of the Board of Directors shall be presided over by the chair of the board or in the chair's absence by the vice-chair or in both of their absences by a director selected to serve by will of the directors present. The chair shall be responsible for the preparation and distribution (in consultation with the Executive Committee) of the meeting agenda, including relevant reports and other materials relating to agenda items. Without limiting the scope of meeting agendas or meeting discussion, the chair shall lead discussion at board meetings concerning the foundation's program or projects, including necessary or desirable fund-raising activities relating to such programs or projects.

ARTICLE IV: Officers

Section 1: The officers of the foundation shall be a chair, vice-chair, secretary, treasurer, and such other officers as may be deemed necessary by the Board of Directors.

Section 2: Officers shall be nominated and elected from and by the Board of Directors for a one-year term. Officers shall serve until their successors have been elected. No officer shall be elected unless he or she receives a majority vote of all directors of the foundation. Officers shall be elected at the May meeting for terms commencing the following July 1 and continuing through June 30 of the next following year.

Section 3: Vacancy in Office — In case of any vacancy in an officer's position, the Board of Directors shall elect a person to fill the vacancy for the balance of the term of the officer whose place became vacant.

Section 4: The officers of this foundation shall have powers and perform such duties as authorized by these bylaws and by the Board of Directors.

Section 5: Duties of Officers

Chair: The Chair shall preside at all meetings of the Board of Directors and shall have general charge and supervision over the activities and affairs of the foundation, similar to that of a chief executive officer. The chair shall sign all binding legal documents authorized by the Board of Directors and shall represent the foundation in all public capacities and act as its spokesperson.

Vice-Chair: In the absence of the chair or his or her inability to act, the vice-chair shall act in his or her place and shall have all the powers and authority of the chair. The vice-chair shall have the principal responsibility for serving as the Executive Committee liaison to the foundation's fund-raising committee.

Secretary: The secretary shall provide and maintain all minutes of regular and special meetings of the foundation in a timely manner.

Treasurer: Subject to the direction and control of the Board of Directors, the treasurer shall supervise the custody, control and disposition of the funds and investments of the foundation, and shall account for the same, and provide financial reports at all regular and special meetings of the foundation in a timely manner. At the expiration of his or her term of office, he or she shall turn over to his or her successor all property of the foundation under such treasurer's control and supervision.

ARTICLE V: Executive Committee

Section 1: The Executive Committee shall consist of the foundation's elected officers plus one other director selected by the other members of the Executive Committee. The superintendent of the school district shall serve (or appoint his or her designee) as an ex officio member.

Section 2: The Executive Committee shall be delegated the authority to establish organizational procedures for the Board of Directors and act on emergency matters required of the foundation between meetings of the Board of Directors. The Executive Committee shall confer with and direct any paid staff or consultant to the foundation in implementing the mission and goals of the foundation. The Executive Committee shall be responsible for carrying out the policy directives and decisions of the Board of Directors and be responsible for reporting to the board the results of such activities.

ARTICLE VI: Fiscal Year

For the purposes of the requirements of the Internal Revenue code relating to nonprofit corporations, the business of this foundation shall be conducted on a fiscal year basis and such fiscal year shall expire on June 30 of the calendar year.

ARTICLE VII: Indemnification

Section 1: Subject to the provisions of Sections 3, 5 and 6 below, the foundation shall indemnify any person who was or is a party or is threatened to be made a part to any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative (other than an action by or in the right of the foundation) by reason of or arising from the fact that he is or was a director or officer of the foundation, or is or was serving at the request of the foundation as a director, officer, partner, or director of another foundation, partnership, joint venture, trust, or other enterprise, against expenses (including attorney fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit, or proceeding if (1) he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the foundation and, with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful, or (2) his act or omission giving rise to such action, suit or proceeding is ratified, adopted, or confirmed by the foundation or the benefit thereof received by the foundation. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of *nolo contendere* or its equivalent, shall not of itself create a presumption that the person did not act in good faith and in a manner which he reasonably believed to be in or not opposed to the best interests of the foundation and, with respect to any criminal action or proceeding, had reasonable cause to believe his conduct was unlawful, and settlement shall not constitute any evidence of any of the foregoing.

Section 2: Subject to the provisions of Sections 3, 5 and 6 below, the foundation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action or suit by or in the right of the foundation to procure a judgment in its favor by reason of or arising from the fact that he is or was a director or officer of the foundation, or is or was serving at the request of the foundation as a director, officer, partner, or director of another corporation, partnership, joint venture, trust or other enterprise against expenses (including attorney fees) actually and reasonably incurred by him in connection with the defense or settlement of such action or suite if he (1) acted in best interests of the foundation, or (2) his act or omission giving rise to such action or suite is ratified, adopted, or confirmed by the foundation or the benefit thereof received by the foundation; provided, however, that no indemnification shall be made in respect to any claim, issue or matter as to which such person shall have been adjudged to be liable for g~ negligence of **deliberate** misconduct in the performance of his duty to the foundation unless, and only to the extent that the court in which action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses which the court shall deem proper.

Section 3: Determination of Right to Indemnification in Certain Cases — Subject to the provisions of Sections 5 and 6 below, indemnification under Sections 1 and 2 of this article automatically shall be made by the foundation unless it is expressly determined by a majority vote of a quorum of the Board of Directors consisting of directors who were not parties to such action, suit, or proceeding, or if such a quorum of disinterested directors so directs, or by independent legal counsel in a written opinion that indemnification of the person who is or was an officer, or director, or is or was serving at the request of the foundation as an officer, director, partner, or director of another corporation, partnership, joint venture, trust, or other enterprise, is not proper in the circumstances because he has not met the applicable standard of conduct set forth in Section 1 or 2.

Section 4: Indemnification of Persons Other Than Officers or Directors — In the event any person not included within the group of persons referred to in Sections 1 and 2 of this article was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suite, or proceeding of a type referred to in Sections 1 and 2 of this article by reason of or arising from the fact that he is or was an employee or agent of the foundation, or is or was serving at the request of the foundation as an employee or agent of another foundation, partnership, joint venture, trust, or other enterprise, the Board of Directors of the foundation by a majority vote of a quorum (whether or not such quorum consists in whole or in part of directors who were parties to such action, suite, or proceeding) may, but shall not be required to, grant to such person a right of indemnification to the extent described in Sections 1 or 2 of this

article as if he were an officer or director referred to therein, provided that such person meets the applicable standard of conduct set forth in such sections.

Section 5: Successful Defense — Notwithstanding any other provision of Sections 1, 2, 3, or 4 of this article, but subject to the provisions of Section 6 below, if a director, officer, employee, or agent is successful on the merits or otherwise in defense of any action, suite, or proceeding referred to in Sections 1, 2, or 4 of this article, or in defense of any claim, issue, or matter therein, he shall be indemnified against expenses (including attorney fees) actually and reasonably incurred by him in connection therewith.

Section 6: Condition Precedent to Indemnification Under Section 1, 2, or 5 — Any person who desires to receive the benefits otherwise conferred by Sections 1, 2, or 5 of this article shall notify the foundation reasonably promptly that he has been named a defendant to an action, suite, or proceeding of a type referred to in Sections 1 or 2 and that he intends to rely upon the right of indemnification described in Sections 1, 2, or 5 of this article. The notice shall be in writing and mailed via registered or certified mail, return receipt requested, to the president of the foundation at the executive offices of the foundation or, in the event the notice is from the president, to the registered agent of the foundation. Failure to give the notice required hereby shall entitle the Board of Directors of the foundation by a majority vote of a quorum (consisting of directors who, insofar as indemnity of employees or agents is concerned, may or may not have been parties) to make a determination, in their sole discretion, that such failure was prejudicial to the foundation in the circumstances and that, therefore, the right to indemnification referred to in Sections 1, 2, or 5 of this article shall be denied in its entirety or reduced in amount.

Section 7: Insurance — At the discretion of the Board of Directors, the foundation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee, or agent of the foundation or is or was serving at the request of the foundation, partnership, joint venture, trust, or other enterprise against any liability asserted against him and incurred by him in any such capacity, or arising out of his status as such, whether or not the foundation would have the power to indemnify him against such liability under the provisions of this article.

Section 8: Former Officers and Directors — The indemnification provisions of this Article VII or each of any of said provisions individually shall e extended to a person who has ceased to be a director, officer, employee, or agent and shall inure to the benefit of the heirs, executors, and administrators of such a person.

Section 9: Purpose and Exclusivity. The indemnification referred to in the various sections of this article shall be deemed to be in addition to and not in lieu of any other rights to which those indemnified may be entitled under any statute, rule, or law or equity, agreement, action of the Board of Directors, or otherwise. The purpose of this article is to augment the provisions of the Oregon Non-Profit Corporations Act.

ARTICLE VIII: Rules of Order and Parliamentary Authority

The rules contained in the most recent edition of *Robert's Rules of Order, Revised*, shall govern all meetings of the Board of Directors where such rules are not consistent with the Articles of Incorporation, bylaws, or special rules of order adopted by the Board of Directors.

ARTICLE IX: Amendment of Bylaws

These bylaws may be amended or repealed by the affirmative vote of a majority of all the Board of Directors, if such notice of the proposed alteration or amendment is contained in the notice of the meeting in which such action is to be considered.

Adopted 4/29/93
Amended 6/16/94

Articles of Incorporation of Medford Schools Educational Foundation
Nonprofit Corporation

The undersigned incorporators hereby adopt the following Articles of Incorporation pursuant to the provisions of the Oregon Nonprofit Corporation Act.

Article I: Name and Classification

The name of the corporation shall be Medford Schools Educational Foundation. This corporation is a public benefit corporation and its duration shall be perpetual.

Article II: Purposes and Powers

This corporation is organized to carry out exclusively charitable, educational and scientific purposes, primarily for the benefit of Medford School District 549C (the "district"), its students, facilities, programs, and staff. In pursuance of such purposes this corporation shall:

(a) Administer property and/or money donated to the corporation for charitable, educational, and scientific purposes;

(b) Distribute property for such purposes in accordance with the terms of gifts, bequests or devises to the corporation for charitable, education, and scientific purposes and in accordance with determinations by the Board of Directors pursuant to these Articles of Incorporation and the bylaws of this corporation.

(c) Distribute property to qualified charitable, educational, and scientific organizations and governmental units providing grants, loans, or funding for the benefit of district students or staff.

(d) Do and perform such acts as may be necessary or appropriate to carry out the foregoing purposes of the corporation and in connection therewith to exercise any of the powers granted to nonprofit corporations by the Oregon Nonprofit Corporation Law consistent with the corporation's status as an organization (i) exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 and (ii) to which contributions are deductible under Section 170(c)(2), 2055(a)(2), and 2522(a(2) of the Internal Revenue Code of 1986.

The Board of Directors of this corporation shall administer and distribute the property held by the corporation in the manner that best serves the charitable, educational and scientific needs of the district, its students and staff, and shall have the power in carrying out such duty to modify any restriction or condition on the distribution of funds for any specified charitable, educational, or scientific purposes or to specified organizations if, in the sole judgment of the Board of Directors (without the necessity of the approval of any participating trustee, custodian, or agent), such restriction or condition becomes, in effect, unnecessary, incapable of fulfillment, or inconsistent with the charitable, educational, and scientific needs of the district, its students or staff. It shall be the principal objective of this corporation to enhance the educational experience of the district students, above regular support levels for goods or services that have been or should be paid for from general district revenues. The directors shall have the authority to refuse any proposed donation which they deem to be inappropriate for administration by the foundation.

Article III: Restrictions

3.1 No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its directors, officers, or other private persons, except that the corporation may pay reasonable compensation for services rendered and may make payments and distributions in furtherance of its purposes.

3.2 No substantial part of the activities of the corporation shall consist of carrying on propaganda or otherwise attempting to influence legislation, except to the extent permissible under Section 501(h) of the code. The corporation shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

3.3 The corporation shall not carry on any other activities not permitted to be carried on by (a) a corporation exempt from federal income tax under Section 501(c)(3) of the code, or (b) a corporation to which contributions are deductible under Section 170(c)(2) of the code.

Article IV: Members

The corporation shall have no members.

Article V: Board of Directors

5.1 The affairs of the corporation shall be managed by a board of nine (9) directors who shall be selected in accordance with the bylaws of the corporation.

Article VI: Dissolution

This corporation may be dissolved at any time by the affirmative vote of at least two-thirds (2/3) of its Board of Directors at any meeting for which thirty (30) days written notice of consideration of such action shall be duly given. This dissolution of the

corporation (whether by transfer of substantially all its assets or otherwise) shall be accomplished consistent with the intent that the assets be held and used for the purposes of a public charity, and said termination shall not be effected so as to cause any tax to be imposed under Section 507(a) of the Internal Revenue Code of 1986. Subject to the foregoing sentence, in the event of dissolution of the corporation for any reason, the property then held shall (after payment or provision for payment of all liabilities) be disposed of exclusively for charitable, educational, and scientific purposes, or to such qualified charitable organization or organizations as (1) the Board of Directors shall select, giving preference to the purpose of serving the district, its students and staff, and (2) with respect to any property not so disposed of, as the court which has general jurisdiction for the county in which the principal office of the corporation shall then be located shall select.

Article VII: Amendments

These Articles of Incorporation may be amended or restates only by a vote of at least two-thirds (2/3) of its Board of Directors. The purposes and powers of the corporation may only be amended by an unanimous vote of the directors.

Article VIII: Registered Agent

The name and address of the initial registered agent of the corporation is: Douglass H. Schmor; Brophy, Mills, Schmor, Gerking & Brophy; 201 W. Main, Suite 5A; Medford, Oregon.

Article IX: Principal Office

The principal office address of the corporation is: Medford Schools Educational Foundation; 500 Monroe Street; Medford, OR 997501.

Article X: Limitation of Liability

No director or uncompensated officer of the corporation shall be personally liable to the corporation or its members for monetary damages for conduct as a director or uncompensated officer; provided that this article shall not eliminate liability which may not be eliminated under the Oregon Nonprofit Corporation Art. No amendment to the Oregon Nonprofit Corporation Act that further limits the acts or omissions for which elimination of liability is permitted shall affect the liability of a director or uncompensated officer for any act or omission which occurs prior to the effective date of such amendment. The provisions of this article are intended to be in addition to and not in limitation of any other provisions of the bylaws or any agreement of the corporation or any law that eliminates or limits the liability of directors, officers, and others acting on behalf of the corporation.

Article XI: Incorporator

The name and address of the initial incorporators are: [list of individuals and their signatures follows]

Person to contact about this filing: Douglass H. Schmor, (503) 772-7123.

Filed 3/4/94, Secretary of State

Bylaws of the Corbett Education Foundation

Article I: Name

The name of this private, non-profit public benefit corporation shall be the "Corbett Education Foundation." The principal office of the corporation shall be located at 35800 E. Historic Columbia River Highway, Corbett, OR 97019.

Article II: Mission and Goals

Mission: The mission of the foundation is to help provide a quality education for every student in the Corbett School District through financial and other means of support for district students, staff, and programs.

Goals: The overall goals of the foundation shall be:

Section 1: To encourage and seek private funding (including from other foundations or tax-exempt organizations) for student-oriented educational programs and practices.

Section 2: To nurture public-private partnership opportunities benefiting Corbett School District.

Section 3: To raise public awareness of the responsibility that the Corbett community shares with the Corbett School District in maintaining and enhancing quality public education.

Section 4: To undertake those activities or responsibilities which the foundation believes are consistent with its mission and for which resources are (or can be made) available.

Article III: Board of Trustees

Section 1: Authority — The Board of Trustees of the foundation shall be the governing and official voting body for the foundation and shall exercise all powers of an Oregon nonprofit corporation. The Board of Trustees shall establish the foundation's policies and determine the programs and activities to be undertaken by he foundation. In order to increase community involvement in the foundation, a board member may serve as a trustee for no more than two consecutive three-year terms. The number of trustees shall not exceed twenty-one (21). A trustee may serve more than six (6) years if that trustee has been appointed to fill a term created by a vacancy. In such a case, the trustee may be separately elected for a maximum of six (6) consecutive years following completion of the term of the vacancy.

Section 2: Eligibility — To serve as a voting member of the Board of Trustees, the individual must reside within the boundaries of Corbett School District.

Section 3: Nominations — Any member of the Board of Trustees may nominate a proposed trustee. All nominations for trustee shall be presented to a nominating committee appointed by the Executive Committee. The Nominating Committee will present a slate of candidates to the full board for election. Trustee's terms shall commence on July 1 and conclude on June 30. Board of Trustee elections shall take place in May of each year.

Section 4: Specific Term of Office — The Nominating Committee shall recommend and the Board of Trustees shall approve a specific term of office for each new trustee. As closely as possible, the Nominating Committee and Board of Trustees shall specify terms of trustees so that no more than one-third (1/3) of the Board of Trustees' terms expire in any one year.

Section 5: Vacancy — In case of vacancy on the elected Board of Trustees, the remaining trustees shall elect a successor to hold office for the remaining portion of the term of the trustees whose place shall become vacant.

Section 6: Resignations — Any member of the Board of Trustees may resign at any time by providing notice to the office of the chair of the foundation. Such resignation shall specify the date to be effective.

Section 7: Ex-Officio Trustees — The chair of the Board of Directors of Corbett School District No 39 (or other designated school board director) and superintendent and principals shall be ex-officio, non-voting members of the Board of Trustees.

Section 8: Compensation — No trustee shall receive a salary or other compensation for service to this foundation.

Section 9: Committees of the Board — The Board of Trustees may authorize the establishment of committees, specify the purpose and responsibilities of the committee, and grant authority for the foundation chair to name the chairman and members of the committee. A nominating committee composed of three (3) members of the Board of Trustees shall carry out the duties described in Section 3 of this Article II. An executive committee as descried in Article V shall also be a standing committee of the Board of Trustees. A fund-raising committee shall be established to initiate, implement, and undertake the foundation's fundraising activities and shall be chaired by the board vice-chair. In all instances the Board of Trustees shall retain responsibilities for establishing policy for the operation and function of each committee and shall have oversight relating to committee activities.

Section 9: Duties of Trustees — Trustees are to be nominated and are expected to serve based upon their interest in, and endorsement of, the mission and goals of the foundation.

Trustees shall be expected to serve (consistent with their personal and business commitments) on board committees as well as support the foundation's programs and projects. The foundation's activities will be designed to maximize public exposure of the foundation's mission and goals. Materials specifically identifying directors will be distributed to the public.

Section 10: Duties of Trustees — Trustees are to be nominated and are expected to serve based upon their interest in, and endorsement of, the mission and goals of the foundation. Trustees shall be expected to serve (consistent with their personal and business commitments) on board committees as well as support the foundation's programs and projects. The foundation's activities will be designed to maximize public exposure of the foundation's mission and goals. Materials specifically identifying directors will be distributed to the public.

Article IV: Meetings

Section 1: Regular Meetings — Regular meetings of the Board of Trustees shall be held at least four (4) times during the fiscal year with an annual meeting held in June of each year. The date, time, and place of the meetings shall be determined by the Board of Trustees or Executive Committee. A meeting notice shall be sent to all trustees prior to the call of the meeting. Meetings will meet public meeting law requirements.

Section 2: Attendance — Any trustee who misses more than three (3) consecutive meetings of the Board of Trustees without sufficient cause may be removed from the Board of Trustees. Notice of a time, place, and purpose of special meetings shall be sent to all trustees at least three (3) days in advance of the meeting.

Section 3: Special Meetings — Special meetings of the Board of Trustees may be called at any time or place upon the call of the chair and/or two (2) other members of the Board of Trustees. Notice of a time, place, and purpose of special meetings shall be sent to all trustees at least three (3) days in advance of the meeting.

Section 4: Quorum — A majority of the members of the Board of Trustees shall constitute a quorum for all meetings of the Board of Trustees and the Foundation.

Section 5: Conduct of Meetings — Meetings of the Board of Trustees shall be presided over by the chair of the Board of Trustees or in the chair's absence by the vice-chair or in both of their absences by a trustee selected to serve by will of the trustees present. The chair shall be responsible for the preparation and distribution (in consultation with the Executive Committee) of the meeting agenda, including relevant reports and other materials relating to agenda items. Without limiting the scope of meeting agendas or meeting discussion, the chair shall lead discussion at board meetings concerning the foundation's programs or projects, including necessary or desirable fundraising activities relating to such programs or projects.

Article V: Officers

Section 1: The officers of the foundation shall be a chair, vice-chair, secretary, treasurer and such other officers as may be deemed necessary to the Board of Trustees.

Section 2: Officers shall be nominated and elected from and by the Board of Trustees for a one-year term. Officers shall serve until their successors have been elected. No officer shall be elected unless he or she receives a majority vote of all trustees of the foundation. Officers shall be elected at the May meeting for terms commencing the following July 1 and continuing through June 30 of the next following year.

Section 3: Vacancy in Office — In case of any vacancy in an officer's position, the Board of Trustees shall elect a person to fill the vacancy for the balance of the term of the officer whose place became vacant.

Section 4: The officers of this foundation shall have powers and perform such duties as authorized by these bylaws and by the Board of Trustees.

Section 5: Duties of Officers

Chair: The chair shall preside at all meetings of the Board of Trustees and shall have general charge and supervision over the activities and affairs of the foundation, similar to that of a chief executive officer. The chair shall sign all binding legal documents authorized by the Board of Trustees and shall represent the foundation in all public capacities and act as its spokesperson.

Vice-Chair: In the absence of the chair or his or her inability to act, the vice-chair shall act in his or her place and shall have all the powers and authority of the chair. The vice-chair shall have the principal responsibility for serving as the Executive Committee Liaison to the foundation's fundraising committee.

Secretary: The secretary shall provide and maintain all minutes of regular and special meetings of the foundation in a timely manner.

Treasurer: Subject to the direction and control of the Board of Trustees, the treasurer shall supervise the custody, control, and disposition of the funds and investments of the foundation, and shall account for the same, and provide financial reports at all regular and special meetings of the foundation in a timely manner, and provide financial records for an independent annual audit. At the expiration of his or her term of office, he or she shall turn over to his or her successor all property of the foundation under such treasurer's control and supervision.

Article VI: Executive Committee

Section 1: The Executive Committee shall consist of the foundation's elected officers, and one other trustee selected by the other members of the Executive Committee. The superintendent and principals of the school district shall serve (or appoint his or her designee) as an ex-officio member.

Section 2: The Executive Committee shall be delegated the authority to establish organizational procedures for the Board of Trustees and act on emergency matters required of the foundation between meetings of the Board of Trustees. The Executive Committee shall confer with and direct any paid staff or consultant to the foundation in implementing the mission and goals of the foundation. The Executive Committee shall be responsible for carrying out the policy directives and decisions of the Board of Trustees and be responsible for reporting to the board the results of such activities.

Article VII: Fiscal Year

For the purposes of the requirements of the Internal Revenue Code relating to non-profit corporations, the business of this foundation shall be conducted on a fiscal year basis and such fiscal year shall expire on June 30 of the calendar year.

Article VIII: Indemnification

Section 1: Subject to the provisions of Sections 2, 5, and 6 below, the foundation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suite, or proceeding whether civil, criminal, administrative, or investigative (other than an action by or in the right of the foundation) by reason of or arising from the fact that he is or was a trustee or officer of the foundation or is or was serving at the request of the foundation as a trustee, officer, partner, or trustee of another foundation, partnership, joint venture, trust, or other enterprise, against expenses (including attorney fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit, or proceeding if (i) he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the foundation and, with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful, or (ii) his act or omission giving rise to such action, suite, or proceeding is ratified, adopted, or confirmed by the foundation or the benefit thereof received by the foundation. The termination of any action, suite, or proceeding by judgment, order, settlement, conviction, or upon a plea of *nolo contendere* or its equivalent, shall not of itself create a presumption that the person did not act in good faith and in a manner which he reasonably believed to be in or not opposed to the best interests of the foundation and, with respect to any criminal action or proceeding, had reasonable cause to believe his conduct was unlawful, and settlement shall not constitute any evidence of any of the foregoing.

Section 2: Subject to the provisions of Sections 3, 5, and 6 below, the foundation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action or suite by or in the right of the foundation to procure a judgment in its favor by reason of or arising from the fact that he is or was a director or officer of the foundation, or is or was serving at the request of the foundation as a director, officer, partner, or director of another corporation, partnership, joint venture, trust or other enterprise against expenses (including attorney fees) actually and reasonable incurred by him in connection with the defense or settlement of such action or suit if he (i) acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the foundation, or (ii) his act or omission giving rise to such action or suit is ratified, adopted, or confirmed by the foundation or the benefit thereof received by the foundation; provided, however, that no indemnification shall be made in respect to any claim, issue, or matter as to which such person shall have been adjudged to be liable for negligence or **deliberate** misconduct in the performance of his duty to the foundation unless, and only to the extent that, the court in which action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses which the court shall deem proper.

Section 3: Determination of Right to Indemnification in Certain Cases — Subject to the provisions of Sections 5 and 6 below, indemnification under Sections 1 and 2 of this article automatically shall be made by the foundation unless it is expressly determined by a majority vote of a quorum of the Board of Directors consisting of directors who were not parties to such action, suit or proceeding, or if such a quorum of disinterested directors so directs, or by independent legal counsel in a written opinion, that indemnification of the person who is or was an officer, or directors, or is or was serving at the request of the foundation, as an officer, director, partner, or director of another corporation, partnership, joint venture, trust, or other enterprise, is not proper in the circumstances because he has not met the applicable standard of conduct set forth in Section 1 or 2.

Section 4: Indemnification of Persons Other Than Officers or Trustees — In the event any person not included within the group of persons referred to in Sections 1 and 2 of this article was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding of a type referred to in Sections 1 and 2 of this Article by reason of or arising from the fact that he is or was an employee or agent of another foundation, partnership, joint venture, trust, or other enterprise, the Board of Directors of the foundation by a majority vote of a quorum (whether or not such quorum consists in whole or in part of directors who were parties to such action,

suit, or proceeding) may, but shall not be required to grant to such person a right of indemnification to the extent described in Sections 1 or 2 of this article as if he were an officer or director referred to therein, provided that such person meets the applicable standard of conduct set forth in such sections.

Section 5: Successful Defense — Notwithstanding any other provision of Sections 1, 2, 3, or 4 of the article, but subject to the provisions of Section 6 below, if a director, officer, employee, or agent is successful on the merits or otherwise in defense of any action, suite, or proceeding referred to in Sections 1, 2, or 4 of this article, or in defense of any claim, issue, or matter therein, he shall be indemnified against expenses (including attorney fees) actually and reasonably incurred by him in connection therewith.

Section 6: Condition Precedent to Indemnification Under Sections 1, 2, or 5 — Any person who desires to receive the benefits otherwise conferred by Sections 1,2, or 5 of this article shall notify the foundation reasonably promptly that he has been named a defendant to an action, suit or proceeding of a type referred to in Sections 1 or 2 and that he intends to rely upon the right of indemnification described in Sections 1, 2, or 5 or this article. The notice shall be in writing and mailed via registered or certified mail, return receipt requested, to the president of the foundation at the executive offices of the foundation or, in the event the notice is from the president, to the registered agent of the foundation. Failure to give the notice required hereby shall entitle the Board of Directors of the foundation by a majority vote of a quorum (consisting of trustees who, insofar as indemnity of employees or agents is concerned, may or may not have been parties) to make a determination, in their sole discretion, that such failure was prejudicial to the foundation in the circumstances and that, therefore, the right to indemnification referred to in Sections 1, 2, or 5 of the article shall be denied in its entirety or reduced in amount.

Section 7: Insurance — The school district will provide necessary liability insurance at the discretion of the Board of Trustees. The foundation may purchase and maintain insurance on behalf of any person who is or was a trustee, officer, employee, or agent of the foundation, or is or was serving at the request of the foundation, partnership, joint venture, trust or other enterprise against any liability asserted against him and incurred by him in any such capacity, or arising out of his status as such, whether or not the foundation would have the power to indemnify him against such liability under the provisions of this article.

Section 8: Former Officers and Trustees — The indemnification provisions of this Article VII of each of any of said provisions individually shall e extended to a person who has ceased to be a trustee, officer, employee, or agent and shall inure to the benefit of the heirs, executors, and administrators of such a person.

Section 9: Purpose and Exclusivity — The indemnification referred to in the various sections of this article shall be deemed to be in addition to and not in lieu of any other rights to which those indemnified may be entitled under any statute, rule, or law or equity, agreement, action of the Board of Trustees, or otherwise. The purpose of this article is to augment the provisions of the Oregon Non-Profit Corporations Acts.

Article IX: Rules of Order and Parliamentary Authority

The rules contained in the most recent edition of *Roberts' Rules of Order, Revised*, shall govern all meetings of the Board of Trustees where such rules are not consistent with the Articles of Incorporation, bylaws or special rules of order adopted by the Board of Trustees.

Article X: Amendment of Bylaws

These bylaws may be amended or repealed by the affirmative vote of a majority of all the Board of Trustees if such notice of the proposed alteration or amendment is contained in the notice of the meeting in which such action is to be considered.

Adopted 5/8/97
Amended 7/10/97

Bylaw of Corvallis Public Schools Foundation *("the Corporation")*

1. Offices

1.1. Principal Office. The principal office of the Corporation in the State of Oregon shall be located in Corvallis, Oregon. The Corporation may have such other offices in or out of the State of Oregon, as the Board of Trustees may designate or as the business of he Corporation may require from time to time.

1.2. Registered Office. The registered office of the Corporation required by the Oregon Nonprofit Corporation Act to be maintained in the State of Oregon may be, but need not be, identical with the principal office in the State of Oregon, and the address of the registered office may be changed from time to time by the Board of Trustees upon compliance with the requirements of the Oregon Nonprofit Corporation Act for change of the registered office.

2. Board of Trustees

2.1. General Powers. The business and affairs of the Corporation shall be managed by its Board of Trustees.

2.2. Number, Tenure, Qualifications, and Elections.

2.2.1. *Number.* The number of trustees of the Corporation shall be no less than three (3) nor more than fifteen (15). The board is authorized to increase or decrease the number of trustees serving by action of a majority of trustees then serving, providing that no action to decrease the number of trustees shall be effective other than at the end of a trustee's term of office.

2.2.2. *Tenure.* Except for the initial trustees, each trustee shall serve for a term of three (3) years. The initial trustees shall be classified as having a term of either three (3) years, two (2) years, or one (1) year. As each trustee's term of office expires, that vacancy shall be filled for a new three-year term.

2.2.3. *Annual Election of Trustees.* The Board of Trustees shall be a self-perpetuating body. The existing trustees shall elect any future members. Such elections shall be held at the annual meeting and shall require an affirmative vote by a majority of the trustees then serving.

2.2.4. *Commencement of Term.* The term of a trustee elected at an annual meeting shall start on the first day of the next fiscal year and shall continue until it expires and a successor is elected. The term of a trustee elected at other than an annual meeting shall begin on the date of the election and shall continue until the term expires and a successor is chosen.

2.3. Regular Meetings. A regular annual meeting of the Board of Trustees shall be held during the last quarter of the Corporation's fiscal year at such time and place as determined by the trustees, and with appropriate notice. The Board of Trustees may provide, by resolution, the time and place, either within or without the State of Oregon, for the holding of additional regular meetings. The resolution shall set forth the notice for the meeting. In addition, the board shall schedule quarter-annual meetings.

2.4. Special Meetings. Special meetings of the Board of Trustees may be called by or at the request of, the chair or any two trustees. The person or persons authorized to call special meetings for the Board of Trustees may fix any place, either within or without the State of Oregon, as the place for holding any special meeting of the Board of Trustees called by them.

2.5. Notice. Notice of any special meeting shall be given at least three days previously thereto, either orally, by telephone or in person, or by written notice delivered personally or mailed to each trustee at the trustee's address. If mailed, such notice shall be deemed to be delivered on the second day following deposit in the United States mail. Any trustee may waive notice of any meeting. The attendance of a trustee at a meeting shall constitute a waiver of notice of such meeting, except where a trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted nor the purpose of any special meeting of the Board of Trustees must be specified in the notice or waiver of notice of such meeting.

2.6. Quorum. A majority of the number of trustees in office immediately before the commencement of the meeting shall constitute a quorum for the transaction of business at any meeting of the Board of Trustees.

2.7. Manner of Acting. Unless expressly provided otherwise in these bylaws, the act of a majority of the trustees present at a meeting at which a quorum is present shall be the act of the Board of Trustees. Trustees shall be deemed to be present at a regular or special meeting where all trustees participating may simultaneously hear each other during the meeting, irrespective of whether or not they are present in the same location, as by a telephonic conference.

2.8. Vacancies. Any vacancy occurring on the Board of Trustees may be filled by the affirmative vote of the majority of the remaining trustees. A trustee elected to fill a vacancy shall be elected for the unexpired term of that trustee's predecessor in office.

2.9. Presumption of Assent. A trustee of the Corporation who is present at a meeting of the Board of Trustees at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his dissent shall be entered in the minutes of the meeting or unless he or she shall file his or her written dissent to such action with the person acting as the secretary of the meting before the adjournment thereof or shall forward such dissent by registered mail to the secretary of the Corporation immediately after the adjournment of the meeting. The right to dissent shall not apply to a trustee who voted in favor of the action.

2.10. Removal. At any meeting of the Board of Trustees, any individual trustee may be removed from office with or without cause by a vote of two-thirds of the trustees then serving. Further, by a vote of two-thirds of the trustees then serving, any individual trustee may be removed from office if that trustee fails to attend three (3) or more board meetings in a single year, whether in person or by telephone.

2.11. Resignation. Any trustee of the Corporation may resign at any time by giving written notice to the Corporation, to the Board of Trustees, or to the chair of the board, or to the secretary of the Corporation. Any such resignation shall take effect at the time specified therein, or, if the time be not specified therein, upon its acceptance of the Board of Trustees.

2.12. Compensation. The trustees shall serve without compensation. However, trustees shall be entitled to reimbursement for their reasonable and necessary out-of-pocket expenses incurred while serving as a trustee, provided there are foundation funds available.

3. Officers

3.1. Number. The officers of the Corporation shall be a chair and a secretary, each of whom shall be elected by the Board of Trustees. Other officers may be elected by the Board of Trustees.

3.2. Election and Term of Office. The officers shall be elected annually by the Board of Trustees at the first meeting of the Board of Trustees. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until that officer's successor shall have been duly elected and shall have qualified or until that officer's death or until the officer shall resign or shall have been removed in the manner hereinafter provided.

3.3. Removal and Resignation. Any officer or agent elected or appointed by the Board of Trustees may be removed by an affirmative vote of two-thirds of the trustees then serving whenever in its judgment the best interests of the Corporation would be served thereby. Any officer of the Corporation may resign at any time by giving written notice to the Corporation, to the Board of Trustees, or to the chair of the board, or to the secretary of the Corporation. Any such resignation shall take effect at the time specified therein, or, if the time be not specified therein, upon its acceptance by the Board of Trustees.

3.4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Trustees for the unexpired portion of the term.

3.5. Chair of the Board. The chair shall preside at all meetings of the Board of Trustees. The chair shall further be the principal executive officer of the Corporation and, subject to the control of the Board of Trustees, shall in general supervise all of the business and affairs of the Corporation. The chair may sign, with the secretary or any other proper officer of the Corporation authorized by the Board of Trustees, any deeds, mortgages bonds, contracts, or other instruments which the Board of Trustees has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Trustees or by these bylaws to some other officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of a chair and such other duties as may be prescribed by the Board of Trustees.

3.6. Secretary. The secretary shall:

3.6.1. Keep or cause to be kept at the principal office, or such other place as the Board of Trustees may order, a book of minutes of all meetings of trustees showing the time and place of the meeting, whether the meeting was regular or special and, if a special meeting, how authorized, the notice given, the names of those present at trustees meetings, and the proceedings thereof.

3.6.2. In general perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to the secretary by the chair of the Board of Trustee.

4. Financial and Legal Decisions

4.1. Expenditure Decisions. All decisions to expend funds of the foundation shall be made by affirmative vote of the Board of Trustees, after consultation with the Corvallis School Board. All expenditures are subject to the following conditions:

4.1.1. Expenditures must be in furtherance of the purpose of the Corporation as set forth in Article 8 of the Articles of Incorporation.

4.1.2. Expenditures of funds must be in accord with the restrictions (if any) placed on the funds by the donor or donors.

4.2. Execution of Legal Documents. The Board of Trustees may authorize any officer or agent to enter into any contract or other legal agreement or obligation on such terms and conditions as are specified in the authorizing resolution. No loan shall be entered into on behalf of the Corporation unless specifically authorized by a resolution of the Board of Trustees.

4.3. Corporation Funds. All funds of the Corporation, including all funds and other property received from donors, shall be deposited in the Corporation's account(s) maintained by the Corvallis School District. All checks and other orders for payment issued in the name of the Corporation shall be signed by such officer or agent of the trustees as authorized by the Board of Trustees.

4.4. Loans. The Corporation shall not lend money to, or guarantee an obligation of, any trustee, officer, or employee of the Corporation.

5. Fiscal Year.

The fiscal year of the corporation shall begin on July 1 and end on June 30.

6. Seal.

If the Board of Trustees elects to provide a corporate seal, it shall be circular in form and shall have inscribed thereon the name of the Corporation and the state of incorporation and the words, "Corporate Seal – Oregon."

7. Waiver of Notice – Form of Notice

7.1. Waiver of Notice. Whenever any notice is required to be given to any trustee of the Corporation under the provisions of these bylaws or under the provisions of the Oregon Nonprofit Corporation Act, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

7.2. Form of Notice. Whenever, under the provisions of the Oregon Nonprofit Corporation Act or these bylaws, notice is required to be given to any trustee it shall not be construed to mean personal notice, but such notice may be given in writing, by mail or telegram addressed to such trustee at the address as it appears on the records of the Corporation, or at the last known business or residence address of the trustee prepaid, and such notice if mailed shall be deemed to be given at the time when the same shall be deposited in the United States mail (except as expressly provided for otherwise in paragraph 2.5), and if telegraphed shall be deemed to be given when the telegram is delivered to the telegraph company.

8. Amendments.

These bylaws may be altered, amended, or repealed and new bylaws adopted by a majority of the trustees of the Corporation.

9. Indemnization of Trustees and Officers

9.1. Trustees and Officers. The Corporation shall indemnify to the fullest extent permitted by law, any person who is made, or threatened to be made a party to or witness in, or is otherwise involved in, any threatened, pending or completed action, suit or proceeding, whether civil, criminal administrative, investigative, or otherwise (including any action, suit or proceeding by or in the right of the Corporation) by reason of the fact that the person is or was a trustee or officer of the Corporation or any of its subsidiaries.

9.2. Employees of Other Agents. The Corporation shall indemnify its employees and other agents to the fullest extent permitted by law.

9.3. Advances of Expenses. The expenses incurred by a trustee or officer in connection with any threatened, pending or completed action, suit or proceeding, whether civil, criminal administrative, investigative, or otherwise, which the trustee or officer is made or threatened to be made a party to or witness in, or is otherwise involved in, shall be paid by the Corporation in advance upon written request of the trustee or officer, if the trustee or officer:

9.3.1. Furnishes the Corporation a written affirmation of his or her good faith belief that he or she is entitled to be indemnified by he Corporation; and

9.3.2. Furnishes the Corporation a written undertaking to repay such advance to the extent that it is ultimately determined by a court that he or she is not entitled to be indemnified by the Corporation. Such advances shall be made without regard to the person's ability to repay such expenses and without regard to the person's ultimate entitlement to indemnification under this or otherwise.

9.4. Nonexclusivity of Rights. The rights conferred on any person by this paragraph shall be in addition to any rights to which a person may otherwise be entitled under any articles of incorporation, bylaw, agreement, statue, policy of insurance, vote of Board of Trustees, or otherwise.

9.5. Survival of Rights. The rights conferred on any person by this paragraph shall continue as to a person who has ceased to be a trustee, officer, employee or agent of the Corporation; and shall inure to the benefit of the heirs, executors and administrators of such person.

9.6. Amendments. Any repeal of this paragraph shall be prospective only and no repeal or modification of this paragraph 9 shall adversely affect any right or protection that is based upon this paragraph 9 and pertains to an act or omission that occurred prior to the time of such repeal or modification.

10. Transactions Between Corporation and Interested Trustees

10.1. Conflict of Interest. A transaction with the Corporation in which a trustee of the Corporation has a direct or indirect interest is not voidable by the Corporation solely because of the trustee's interest in the transaction if either (1) the material facts of the transaction and the trustee's interest were disclosed or known to the Board of Trustees or a committee of the Board of Trustees, and the Board of Trustees or committee authorized, approved or ratified the transaction; or (2) the transaction was fair to the Corporation. Authorization, approval, or ratification occurs if a majority of the trustees of the Board of Trustees or on the committee, who have no direct or indirect interest in the transaction vote to authorize.

10.2. Disqualification. A trustee of the Corporation shall not be disqualified by the trustee's office from contracting with the Corporation as vendor, purchaser, or otherwise; nor shall any contract or arrangement entered into by or on behalf of the Corporation in which any trustee is in any way interested be voided on that account, provided that such contract or arrangement shall have been approved or ratified by a majority of the Board of Trustees without counting in such majority the trustee so interest, although such trustee may be counted toward a quorum.

11. Miscellaneous

11.1. Informal Action by Trustees. Any action required by the Oregon Nonprofit Corporation Act to be taken at a meeting of trustees or any other action which may be taken at a meeting of the trustees may be taken without a meeting if a consent in writing setting forth the action so taken be signed by all of the trustees entitled to vote with respect to the subject matter thereof. Such consent shall have the same force and effect as the unanimous vote of such trustees.

11.2. Books and Records. The Corporation shall keep correct and complete books and records of accounts and shall keep minutes of the proceedings of its Board of Directors.

12. Committees.

The Board of Trustees may establish such standing committees and such special committees from time to time as they deem necessary for the effective management of the Corporation.

13. Corporate Purpose.

This Corporation is intended to qualify as a tax-exempt nonprofit entity under Section 501(c)(3) of the Internal Revenue Code, as amended from time to time, and as a public benefit organization under the Oregon Nonprofit Corporation Act, as amended from time to time. Specifically, the Corporation has been established as a nonprofit corporation whose purpose is to lessen the burdens of government by making gifts to the Corvallis school District for the benefit of the students attending the Corvallis public schools to promote the advancement of the public educational process, by (1) assisting the Corvallis School District attain its stated objectives, and (2) encouraging the development of other educational opportunities, all of which are to promote education and charitable causes as defined in Section 501(c)(3) of the Internal Revenue Code. All actions of the Corporation will be in accordance with the policies and guidelines of the Corvallis School Board and the administration of Corvallis School District 509J. Notwithstanding any other provisions of these bylaws, the Corporation shall not carry on any activity not permitted to be carried on by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code.

Adopted 2/20/96
signed by secretary

Articles of Incorporation Nonprofit Corporation

Article 1. Name.

The name of this corporation is Corvallis Public Schools Foundation.

Article 2. Type of Corporation.

This is a Public Benefit Corporation.

Article 3. Registered Agent and Office.

The name of the Corporation's registered agent is Joe E. Richards and the address of the initial registered office is 777 High Street, Suite 300, Eugene, OR 97401.

Article 4. Principal Office Address.

The principal office address is P.O. Box 3509J, 1555 SW 35th Street, Corvallis, Oregon 97339-3509.

Article 5. Distribution of Assets on Dissolution or Final Liquidation.

Upon the dissolution or final liquidation of the Corporation, the assets of the Corporation remaining after satisfaction of the Corporation's obligations and liabilities shall be distributed to the Corvallis School District if it is then in existence or, if the Corvallis School District is no longer in existence, to any organization selected by the Corporations Board of Trustees which at the time of distribution is qualified as a Section 501(c)(3) corporation under the Internal Revenue Code, and no assets of the Corporation shall inure to any trustee, officer of the Corporation, or any other individual. Notwithstanding anything to the contrary herein, no articles of dissolution shall be filed with the corporation division until the Corporation has given the notice required by law to the Oregon Attorney General, and no asset shall be transferred or conveyed as a part of the dissolution, until all provisions of Oregon law have been complied with.

Article 6. Name and Address of Each Trustee.

The name and address of each trustee is as follows:

[list of names appears]

Article 7. Consent of Trustees.

Each trustee named has consented to this appointment.

Article 8. Purpose of the Corporation.

This corporation is intended to qualify as a tax-exempt nonprofit entity under Section 501(c)(3) of the Internal Revenue Code, as amended from time to time, and as a public benefit organization under the Oregon Nonprofit Corporation Act, as amended from time to time. Specifically, the Corporation has been established as a nonprofit corporation whose purpose is to lessen the burdens of government by making gifts to the Corvallis School District for the benefit of the students attending the Corvallis public schools to promote the advancement of the public educational process, by (1) assisting the Corvallis School District attain its stated objectives, and (2) encouraging the development of other educational opportunities; all of which are to promote education and charitable causes as defined in Section 501(c)(3) of the Internal Revenue Code. All actions of the Corporation will be in accordance with the policies and guidelines of the Corvallis School Board and the administration of Corvallis School District 509J. Notwithstanding any other provisions of these bylaws, the Corporation shall not carry on any activity not permitted to be carried on by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code.

Article 9. Restrictions.

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its trustees, officers, or any other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of the Corporation as described in these articles. Except as an insubstantial part of its activities, the Corporation shall not attempt to influence legislation of any city, county, state, or federal government legislative body for any purpose or advocating the adoption or rejection of legislation.

Article 10. No Members.

This corporation shall have no members.

Article 11. Indemnification of Trustees and Officers.

11. 1. Trustees and Officers. The Corporation shall indemnify to the fullest extent permitted by law, any person who is made, or threatened to be made, a party to or witness in, or is otherwise involved in, any threatened, pending, or completed action, suit or proceeding, whether civil, criminal, administrative, investigative, or otherwise (including any action, suite, or proceeding by or in the right of the Corporation) by reason of the fact that:

11.1.1 The person is or was a trustee or officer of the Corporation or any of its subsidiaries;

11.1.2 The person is or was serving as a fiduciary within the meaning of the Employee Retirement Income Security Act of 1974 with respect to any employee benefit plan of the Corporation or any of its subsidiaries; or

11.1.3 The person is or was serving, at the request of the Corporation or any of its subsidiaries, as a trustee or officer, or as a fiduciary of an employee benefit plan, of another corporation, partnership, joint venture, trust or other enterprise.

11.2. Employees and Other Agents. The Corporation shall indemnify its employees and other agents to the fullest extent permitted by law.

11.3. Nonexclusivity of Rights. The rights conferred on any person by this paragraph shall be in addition to any rights to which a person may otherwise be entitled under any articles of incorporation, bylaws, agreement, statute, policy of insurance, vote of Board of Trustees, or otherwise.

11.4. Survival of Rights. The rights conferred on any person by this paragraph shall continue as to a person who has ceased to be a trustee, officer, employee, or agent of the Corporation; and shall inure to the benefit of the heirs, executors and administrators of such person.

11.5. Amendments. Any repeal of this paragraph shall be prospective only and no repeals or modification of this paragraph 11 shall adversely affect any right or protection that is based upon this paragraph 11 and pertains to an act or omission that occurred prior to the time of such repeal or modification.

Article 12. Name and Address of Incorporator.

The name and address of the incorporator is Varner Jay Johns III, 777 High Street, Suite 300, Eugene, Oregon 97401.

[signature]
Varner Jay Johnson III
Incorporator

Person to contact about this filing:
Varner Jay Johns III
777 High Street, Suite 300
Eugene, OR 97401
(503) 484-9292

Filed 2/1/96
Secretary of State

Appendix C
Sample Brochures & Publicity Documents

Amity School Bulletin

Amity School District Publication, Yamhill County School District 4J

November 1998

Amity Educational Foundation

The purpose of the Corporation is to improve the quality of, and increase support for, public education in the Amity School District. The Corporation shall secure resources from individuals, corporations and foundations to be distributed to support programs for which federal, state and local funding is inadequate or inappropriate. Without limitation, the Corporation may work to enhance community support for public education, serve as a source for funding post-high school scholarships for Amity public schools students and promote and fund public school staff development.

Subject to the foregoing limitations, the objects, purposes, pursuits, and powers of this Corporation shall be as follows:

1.To conduct fund raising campaigns and to supervise and assist in fundraising programs for the benefit of the youth served by the Amity School District;

2.To award grants for the purpose of funding extra curricular activities, and instructional materials;

3.To award scholarships to students within the Amity School District.

The Amity School District Foundation Board of Directors are George D. Lanning, President; Randy Rohde, Vice President; Sandra L. McKee, Secretary; Penny Hinchman, Treasurer; and Diane Foster, Director.

If you would be interested in making a tax deductible donation, you may send your check to Amity School District Foundation, 807 Trade St., Amity, OR 97101-0138 and it will be deposited into that account.

Several of the Amity School District staff members are currently donating to the account on a monthly basis. Your contribution to the foundation will help support various programs that may not survive without outside funds.

Thank you for your support!

Donations Continue to be Received

The Amity School District continues to receive donations from a number of people. Mrs. Ruth Curyea, former AHS Librarian, has donated a sheep shearing machine to the Vo Ag Department for their use. Mr. Monte Graham who is with the Natural Resource Conservation Service in Marion County has donated two drafting tables with track machine and arms for the high school drafting classroom.

Linda Johnson, an instructional assistant at the middle school donated an ink jet printer and Candace Palmerston donated a Nautilus Abdominal Machine to the high school. Dwight and Barbara Rowe donated a large book collection to the high school library.

Thank you for your generous donations!

DONATIONS

I wish to donate the following to the Medford Schools

Amount _____

Property _____

In-Kind _____

Please use my contribution for the unrestricted purpose of:

- ☐ Charitable
- ☐ Educational
- ☐ Scientific

I would like to specify my contribution for

_____

_____

_____

My donation in memory of

_____

Name _____

Street _____

City _____ State _____ Zip _____

Phone _____

Signature _____

From

_____

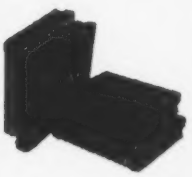
_____

_____

Medford School District 549C
500 Monroe
Medford OR 97501

PLACE STAMP HERE

MEDFORD SCHOOLS



EDUCATIONAL FOUNDATION

5 4 9 C MEDFORD School District

PURPOSE

This foundation is organized to carry out exclusively charitable educational and scientific purposes primarily for the benefit of Medford School District 549C, its students, facilities, programs, and staff.

In pursuance of such purposes this foundation shall:

- Administer property and/or money donated to the corporation for charitable educational and scientific purposes;
- Distribute property for such purposes in accordance with the terms of gifts, bequests or devices to the corporation for charitable, education and scientific purposes and in accordance with determination by the Board of Directors pursuant to the Articles of Incorporation and Bylaws;
- Distribute property to qualified charitable, educational and scientific organizations and governmental units providing grants, loans or funding for the benefit of district students or staff;
- Do and perform such acts as may be necessary or appropriate to carry out the purposes of the foundation.

BOARD of DIRECTORS

The affairs of the Foundation shall be managed by a board of nine (9) directors, who shall be selected in accordance with the bylaws of the corporation.

- Any person of the age of 18 years or older with an interest in the work of the Foundation shall be eligible for board membership.
- Three currently serving members of the Medford School District 549C school board must serve as current directors of the Foundation.
- No director shall serve for more than two consecutive three-year terms.
- An annual meeting of the Board of Directors shall be held at such time as the Board of Directors may Determine.
- Special meetings of the Board of Directors may be called by the president or upon request.

OPPORTUNITIES

GIFTS

Donors may make gifts to the Foundation by naming or otherwise identifying the corporation.

Any donor may, with respect to a gift made by such donor to the Foundation, impose at the time of the gift restrictions or conditions which are not inconsistent with the charitable, educational, and scientific purposes of the corporation.

MANAGEMENT ADVISORS

The Foundation may enter into agreements with agents having custody of property of the corporation for investment and management of corporation assets.

5 4 9 C MEDFORD School District

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HOW TO MAKE A CONTRIBUTION

There are many ways you can contribute to the foundation. Here are **some** of the ways.

- *Outright gifts of cash, securities, real estate, or tangible property can be made.*
- *Your graduating class at its reunion can contribute and designate its gift for a specific project. It's a great way to say thank you for your education.*
- *If you're an employee, you can sign up for a monthly payroll deduction. Some employers offer matching gifts.*
- *Memorial gifts.*
- *A life insurance policy, such as one purchased a number of years ago, can be assigned, naming the Foundation as beneficiary. You receive a tax deduction for the approximate cash value of the policy, as well as a tax deduction for maintaining the annual premiums.*
- *The contribution of a residence, farm, or business is possible by signing the property over to the Foundation while you retain the right to live on or use the property the rest of your life. You will also get an immediate tax deduction.*
- *You may bequeath a specific amount of your estate to the Foundation.*

La Grande Education Foundation, P.O. Box 1463, La Grande, OR. 97850

Supporting Education • Building the Future

❑ Please accept the enclosed contribution to support the education of our children. My check is made out to the La Grande Education Foundation or the amount of $_____. I understand the Foundation is a non-profit 501(C)(3) charitable organization under federal tax code. My gift is a charitable contribution, and I will receive written acknowledgement of my gift for my tax records.

Name _____

Address _____

City _____ State _____ Zip _____

Telephone _____

❑ Founders Club $1,000+

❑ Benefactor $500 - $999

❑ Sponsor $100 - $499

❑ I'm interested in volunteering my time to help the Foundation. Please contact me with information about volunteer opportunities.

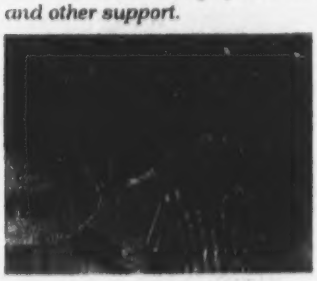
SEND TO: La Grande Education Foundation P.O. Box 1463, La Grande, OR 97850

LA GRANDE EDUCATION FOUNDATION

FOR THE ENRICHMENT OF PUBLIC EDUCATION THROUGH TAX-DEDUCTIBLE GIFTS

MISSION

The purpose of the La Grande Education Foundation is to enhance and enrich the educational opportunities of the students in the La Grande School District through financial and other support.



THE NEED

In this time of diminishing local control of school funding, the La Grande Education Foundation is a way for friends of the La Grande schools to directly support the education of our youth. The future of our community is in the making. This is your chance to help our children!

DESCRIPTION

The La Grande Education Foundation is a non-profit, tax-exempt organization dedicated to the support of the students of the La Grande School District. Founded in 1996, it is operated by a fifteen member volunteer board of directors. The organization is perpetual and functions as a true foundation; that is, only the earnings are spent on an annual basis.

GOALS

- *To encourage and seek private funding for student activities, athletic programs, and artistic organizations.*
- *To nurture public-private partnership opportunities to benefit La Grande schools.*

PROGRAMS

Foundation contributions are intended to supplement the arts, athletic programs and other activities. The Foundation will also administer special endowments to reflect a donor's particular area of interest.

TAX STATUS

The Foundation has received 501(C) (3) tax status from the Internal Revenue Service. As such, gifts to the Foundation are tax-deductible and income generated by the investments of the foundation is tax-free.

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History

Founded in 1988, the Foundation is a nonprofit, tax-exempt organization dedicated to supporting public education in the Beaverton District.

The Foundation provides financial support for programs and activities which are not supported by tax funds.

Beaverton Education Foundation

For the Enriching of Public Education through Tax deductible Gifts

Mission

To assist in providing a quality education for every student in the Beaverton School District through financial and other means of support.

Goals

The Foundation strives to:

- ***Encourage and seek** private funding for innovative, student oriented educational programs and practices which are not funded by tax support.*
- ***Build a permanent endowment fund** for the benefit of Beaverton Schools.*
- ***Raise public awareness** of the responsibility the community shares in maintaining and enhancing a high quality public education system.*

Programs

- ***Grants** for teachers promote innovative projects that further new teaching techniques and improved learning opportunities.*
- ***Golden Apple Awards** recognize outstanding district employees. Awards are presented annually to employees nominated by community members.*

Special Funds

The Foundation maintains designated funds to support a variety of academic and extracurricular programs:

- ***Art Literacy Council** - for Art Literacy volunteer programs.*
- ***Athletics Council** - for high school athletic programs.*
- ***Band Council** - for high school marching bands and rally.*
- ***Friends of Beaverton Schools** - supporting programs as needed.*
- ***Math 24** - supporting the annual Math 24 mathematics competition.*
- ***Theater Arts Council** - for high school musical productions.*
- ***Outdoor School Council** - for the District Outdoor School program*

Your Opportunity

A Tax Deductible Gift

*Your contribution to the **Beaverton Education Foundation** can make a direct impact on the education of Beaverton's children and the future of our community. A quality education program will be enhanced by your tax deductible gift.*

Imagine

...what your gift can do for Beaverton children! Won't you consider making a contribution today?

For further information, call the Foundation at (503) 591-4442 or visit our homepage at:

http://www.beaver.k12.or.us/bef/

Beaverton Education Foundation

Supporting Education • Building the Future

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✓

Yes, I'd like to support the work of the Hood River County Education Foundation.

- ☐ I am making a tax deductible contribution. My donation of $ _____ is enclosed. Checks should be made payable to the Hood River County Education Foundation.
- ☐ I would like to pledge $ _____
- ☐ I would like to fulfill this pledge by _____ 199__
- ☐ I would like to discuss a planned gift or pledge to the Foundation. Please contact me with additional information.
- ☐ I would like to volunteer my time and talent to the Foundation.

Name _____

Address _____

_____

Phone _____

Please detach and mail to:

Hood River County
Education Foundation
P.O. Box 920
Hood River, OR 97031

For more information regarding the Hood River County Education Foundation, please call 386-2511 or any Board Member.

Hood River County
Education Foundation
P.O. Box 920
Hood River, OR 97031

Education Foundation of Hood River County

Education Foundation of business education community Hood River County

There is a way to support education in Hood River County.

Education Foundation of business education community Hood River County

What is the Foundation?

In 1992, Articles of Incorporation and By-Laws were adopted that formed the Hood River County School District Education Foundation, Inc. As a non-profit corporation, this Foundation is eligible to receive tax deductible donations. A volunteer Board of Directors governs, selects projects, dispenses funds and guides the future direction of the Foundation. The operation of the Foundation is independent from the Hood River County School District School Board.

Why have the Foundation?

This community foundation has been created to support the educational excellence of the Hood River County School District. By accepting and distributing resources, the Foundation will enhance and supplement programs and provide extended educational opportunities for students and staff.

What are our Goals?

The goals of this Foundation are...

...to promote student development through additional educational enrichment activities, grants, and recognition of academic effort.

...to encourage excellence in education by supporting unique staff development opportunities and implementation of innovative ideas and programs.

...to encourage partnerships between schools and the community by serving as a vehicle for individuals and organizations to share resources that will enhance learning opportunities.

Where will the Resources go?

Foundation resources are available to all students and staff members. Projects will include...

...scholarships
...grants for innovative progams
...programs emphasizing job preparation
...programs encouraging social responsibility and community service
...grants for specialized equipment
...stay in school programs
...programs promoting partnerships with community/businesses/schools

How can you help?

Contributions can be made to the Hood River County Education Foundation by check or pledge. An individual or corporate contribution of time or expertise supporting the Foundation would be greatly appreciated. Other forms of donating include naming the Foundation in a will, naming the Foundation as a beneficiary of a life insurance policy or donating a gift in Memory of a special person.

THANK YOU for supporting excellence in Hood River County Schools. Your contribution is another way for us to continue to work together to improve our schools and community.

The Foundation Board Members are:

Karen Aust, Hood River
Chuck Bugge, Hood River
Norine Hinkle, Hood River
Marva Janik, Cascade Locks
Debbie Jaques, Hood River
Judy Lambert, Hood River
Virginia McBee, Hood River
Claire Laurelton, Hood River
Ed Medina, Hood River
Gary Munknoff, Cascade Locks
Anne Saxby, Hood River
Mike Schend, Hood River
Vicki VanKoten, Hood River

Brochure design by Jun Kino
Logo design by Bryan Laraway

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UNIVERSITY OF OREGON

College of Education
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Eugene OR 97403-1215

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OSSC Bulletin

VOLUME 42 · NUMBER 3 · SPRING 1999

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act. This publication will be made available in accessible formats upon request. Accommodations for people with disabilities will be provided if requested in advance.

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